

**MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.**

ATTORNEYS AT LAW

1800 DIAGONAL ROAD, SUITE 370

ALEXANDRIA, VIRGINIA 22314

JOHN R. MATTINGLY  
DANIEL J. STANGER  
SHRINATH MALUR  
CARL I. BRUNDIDGE\*

FREDERICK D. BAILEY  
COLIN D. BARNITZ  
GENE W. STOCKMAN  
OF COUNSEL

JEFFREY M. KETCHUM  
Registered Patent Agent

\* Bar Membership Other Than Virginia

PATENT, TRADEMARK  
AND COPYRIGHT LAW

FACSIMILE: (703) 684-1157

(703) 684-1120

**RECEIVED  
CENTRAL FAX CENTER**

**MAY 13 2005**

Date: May 13, 2005

FACSIMILE COVER LETTER

To: Examiner D. OWENS  
Group Art Unit 2811, USPTO

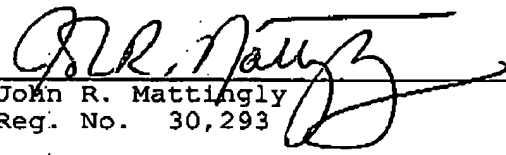
From: John Mattingly  
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

Re: USSN 10/771,471  
Attorney Docket No.: T&A 110-02

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following listed documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

TRANSMITTAL OF TERMINAL DISCLAIMER  
TERMINAL DISCLAIMER

  
John R. Mattingly  
Reg. No. 30,293

Total Number of Pages (including cover sheet): 3

-----  
If the facsimile you receive is incomplete or illegible,  
please CALL (703) 684-1120. Thank you.

T&A-110-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

T. MIYAMOTO et al

RECEIVED  
CENTRAL FAX CENTER

MAY 13 2005

Serial No. 10/771,471

Group Art Unit: 2811

Filed: February 5, 2004

Examiner: D. OWENS

For: SEMICONDUCTOR DEVICE AND MANUFACTURING METHOD OF THAT

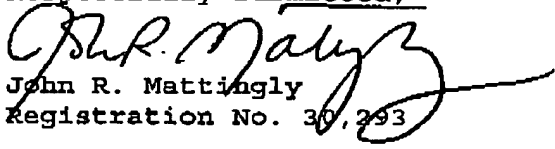
TRANSMITTAL OF TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith an updated Terminal Disclaimer that includes the assignment information and filing date of U.S. Application Serial No. 10/250,939. Applicants request that the Terminal Disclaimer submitted herewith be entered in the file to replace the Terminal Disclaimer filed May 4, 2005. The required filing fee was previously submitted.

Respectfully submitted,

  
John R. Mattingly  
Registration No. 30,293

MATTINGLY, STANGER, MALUR, & BRUNDIDGE, P.C.  
1800 Diagonal Rd., Suite 370  
Alexandria, Virginia 22314  
(703) 684-1120  
Date: May 13, 2005

T&amp;A-110-02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: T. MIYAMOTO et al  
 Serial No. 10/771,471 Group Art Unit: 2811  
 Filed: February 5, 2004 Examiner: D. OWENS  
 For: SEMICONDUCTOR DEVICE AND MANUFACTURING METHOD OF THAT

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
 REJECTION (37 CFR 1.321(b)) (ref OG 7-28-92)**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

The evidentiary documents accompanying or referred to in the Terminal Disclaimer have been reviewed by the undersigned and it is certified that, to the best of the assignee's/assignees' knowledge and belief, title is in the assignee/assignees seeking to take action.

The Assignment was recorded on 12/11/2003, at Reel 014244, Frame 0278. Assignee/Assignees: Renesas Technology Corp.

I/We the Petitioner/Petitioners, as indicated herein, am/are the owner/owners of 100 percent interest in the instant application. Petitioner/Petitioners hereby disclaims/disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer filed prior to the grant of any patent granted on U.S. Patent Application Serial No. 10/250,939, filed on November 30, 2001. Petitioner/Petitioners hereby agrees/agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the above-listed application are commonly owned. This agreement runs with any patent granted on the application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner/Petitioners does/do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of the above-listed patent application in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record who may sign this Disclaimer in accordance with 37 CFR § 1.321(b)(1)(iv).

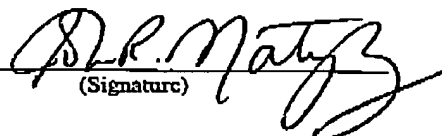
I/We hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Attorney of Record:

John R. Mattingly  
 (Printed Name)

Attorney of Record  
 (Printed Title)

May 4, 2005  
 (Date)

  
 (Signature)

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.  
☒ The Commissioner is hereby authorized to charge any additional payment due, or to credit any overpayment, to Deposit Account No. 50-1417.  
☒ PTO suggested wording for terminal disclaimer was  
☒ unchanged, ☐ changed (if changed, an explanation should be supplied).